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Performance Oversight Hearing  
Department of Buildings

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## **Introduction**

Good morning, Chairman Mendelson and members of the Committee. My name is Makenna Osborn. I am a Policy Attorney at Children's Law Center and a resident of the District. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children's urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

Thank you for the opportunity to testify regarding the performance of the Department of Buildings (DOB). Children's Law Center has long advocated for more effective housing code enforcement in the District because we know it is crucial for promoting stable, safe and healthy housing for low-income families.<sup>1</sup> Each year, we work with hundreds of families living in rental housing with poor conditions like pest infestations, water intrusion, and lack of heat that cause and exacerbate children's asthma and other health concerns; and lead to more emergency room visits, missed school for children, and missed work for parents.<sup>2</sup> The District's housing code is meant to protect against these conditions by setting minimum standards that landlords must comply with

to maintain safe and sanitary housing for their tenants.<sup>3</sup> The housing code, however, is only as strong as its implementation and enforcement. That is why Children’s Law Center strongly supported the Council’s action to dissolve the Department of Consumer and Regulatory Affairs (DCRA) after this Committee found DCRA was “not adequately focused on protecting tenants” and establish DOB as a new agency.<sup>4</sup>

Children’s Law Center shares the Council’s vision for DOB to “promot[e] the health, safety, and quality of life” of District tenants through effective housing code enforcement.<sup>5</sup> We believe fulfilling this vision requires thorough rental housing inspections and firm enforcement actions that secure swift repairs of existing code violations and incentivize maintaining code-compliant properties to prevent future violations. While DOB has made notable improvements over DCRA, it is not yet fulfilling the vision the Council had at its creation. My testimony today will 1) highlight areas where DOB has improved implementation of the housing code over the past year and 2) identify how DOB can further improve its performance through better inspections and more effective enforcement. Children’s Law Center welcomes the opportunity to collaborate with the Council and DOB to implement these improvements.

**DOB Continues to Take Positive Steps Toward Becoming a More Effective, Tenant-Focused Agency**

*DOB is Maintaining Transparent and Open Communication with Stakeholders*

One of Children’s Law Center’s biggest frustrations with DOB’s predecessor was DCRA’s lack of transparent information sharing and substantive engagement with

tenants and tenant advocates.<sup>6</sup> Children’s Law Center appreciates that DOB operates with more transparency and communication with stakeholders, including tenant advocates.

In FY24 and FY25, to date, DOB staff maintained regular and open engagement with Children’s Law Center. Being able to reach out to DOB staff with questions about the status of housing code violations at a client’s unit or how a DOB process works and receive a prompt response helps us be better advocates for our clients. Additionally, we appreciate that DOB leadership has been willing to engage in regular conversations with Children’s Law Center about systemic enforcement issues we observe at the agency and welcomed our participation in DOB’s Built Environment Working Group.<sup>7</sup> We hope the productive working relationship we are developing with DOB will continue and ultimately lead to safer and healthier rental housing in the District.

*DOB is Exploring New Housing Code Enforcement Strategies*

Simply replicating DCRA’s practices in a new agency was never going to be sufficient to meaningfully improve housing code enforcement in the District. Children’s Law Center is therefore encouraged that, over the past year, we have observed DOB trying new strategies and practices to secure housing code compliance. For example, in FY24 DOB launched a new initiative titled Outreach and Abatement Resolution (OAR) to proactively identify and reach out to landlords with a large number of outstanding violations.<sup>8</sup> DOB then seeks to collaboratively engage with these landlords on a plan for

abating the violations.<sup>9</sup> According to a presentation DOB gave to its Built Environment Working Group in May 2024, the agency is tracking outcomes of the OAR initiative and has observed an “uptick” in abatement of violations from OAR-engaged landlords.<sup>10</sup> Children’s Law Center hopes the Committee will work with DOB to continuing tracking the efficacy of this initiative. In any assessment of the initiative, DOB should differentiate between the number of violations that are newly abated, and the number of violations “resolved” for other reasons, like a landlord alleging DOB’s data is incorrect. To inform future innovations, it would also be helpful to gather data from participant landlords on what has previously prevented them from correcting the violations.

Moving forward, Children’s Law Center hopes DOB will expand upon another new initiative. In May 2024 DOB reported that an Investigations Manager within the Office of Strategic Code Enforcement is now responsible for conducting investigations into companies with a pattern of flouting DC’s building and construction laws.<sup>11</sup> It is Children’s Law Center’s understanding that the investigator compares publicly available data to 1) identify the person behind a company and all the other corporations that person is associated with, 2) monitor their activities, and 3) where appropriate, refer information about illegal practices to their professional board or commission for discipline.<sup>12</sup> In its pre-hearing responses, DOB described this initiative as an effort “to connect [DOB’s] processes and teams internally to identify repeat offenders.”<sup>13</sup> Children’s Law Center

hopes DOB will expand these investigations to include landlords who are “repeat offenders” of unhealthy housing conditions.

### **DOB is Increasing the Number of Housing Code Inspections Conducted But Must Make More Improvements to Ensure Inspection Quality and Effectiveness**

One of DOB’s basic responsibilities is to conduct rental housing code inspections, both complaint-based and proactive.<sup>14</sup> An initial measure of DOB’s success in performing this responsibility is the accessibility of the housing code complaint process for tenants and DOB’s ability to respond to all those complaints. In its January 2024 report on DOB’s housing code inspections, this Committee found that the processes for requesting and scheduling inspections were not accessible or reliable for tenants and made several recommendations for improvements.<sup>15</sup> According to DOB’s pre-hearing responses, the agency implemented a number of the Committee’s recommendations over the past year, including revising its online inspection request form to increase clarity and accessibility, training staff to collect inspection requests via phone for tenants who prefer that method of communication, and making it easier for tenants to reschedule inspections.<sup>16</sup> Based on Children’s Law Center’s observations and the experiences of our clients, it appears these changes are having the desired effect. Several clients recently reported to Children’s Law Center that they found it easy to submit housing code complaints to DOB and schedule inspections.

As the accessibility of the inspection request process increases, we would expect a corresponding increase in the number of complaint-based inspections conducted. In FY24

DOB conducted 16,334 complaint-based housing code inspections — as well as 15,806 proactive housing code inspections.<sup>17</sup> This continues the positive trend of DOB increasing the number of housing code inspections it conducts each year. In FY24, DOB conducted 14% more housing code inspections than in FY23 and 29% more inspections than in FY22.<sup>18</sup> However, scheduling and conducting inspections is the most basic measure of DOB’s performance. Children’s Law Center believes DOB should next focus on improving the *quality* of its inspections, so it is strategically identifying the most serious, health-harming housing code violations in DC rental housing.

*DOB Should Target Properties with the Most Serious Housing Code Violations for Proactive Inspections*

A code enforcement regime that relies solely on complaints neglects many rental properties in serious need of repair because, in our experience, the tenants who live in the worst quality housing are often the least likely to file a complaint. That is why Children’s Law Center supported the Council’s passage of the Proactive Inspection Program Act of 2023 to bring DOB’s existing proactive inspections program in line with nationally recognized best practices for promoting healthy housing and preserving naturally occurring affordable housing stock.<sup>19</sup>

The Proactive Inspection Program Act aims to address long-standing weaknesses in DC’s proactive housing code inspection regime. First, the law uses the proactive inspection program to incentivize voluntary housing code compliance by sorting properties into tiers where a history of compliance can lead to less frequent inspection.<sup>20</sup>

It also requires DOB to use factors that correlate to health-harming housing conditions, like the age of a building and whether a building is in an area with high childhood asthma rates, in the model it uses to assign property tiers.<sup>21</sup> This will create a “robust and public-health-focused model” that more strategically targets DOB resources to properties that are having the worst impact on DC tenants.<sup>22</sup> Lastly, the law ensures that proactive inspections include vacant units and can be expanded to the whole building when DOB finds multiple units with serious violations.<sup>23</sup>

The Proactive Inspection Program Act was passed subject to appropriation and requires funding to become effective, which Children’s Law Center encourages the Committee to make a priority in the FY26 budget.<sup>24</sup> Additionally, in the bill’s Fiscal Impact Statement, most of the funding the Chief Financial Officer identified as necessary for implementation is for additional staff to accommodate a higher number of proactive inspections each year.<sup>25</sup> If the Committee is committed to funding the bill, it could work with DOB to identify what steps it can take now, without those additional staff, to prepare for the changes the law will make to the proactive inspection program and plan for swift and smooth implementation of those changes.

*DOB Should Standardize its Inspections to Ensure Thoroughness and Quality*

While tenants often know best what the problems are in their home, they do not have the same technical expertise as inspectors and may not be aware of all the unlawful and potentially harmful conditions that are present. For example, peeling or chipping



paint at a property built before 1978 places young children at risk of lead poisoning.<sup>26</sup> However, a family that has lived with unaddressed housing conditions for years may have grown used to peeling paint, may be unaware of these health concerns, and/or may not know it is an issue DOB can help with. Therefore, it is important that DOB inspectors conduct a comprehensive inspection of an entire unit rather than only investigating a tenant's stated complaints.

In its January 2024 report on DOB's housing code inspection processes, this Committee recommended that DOB inspectors employ a "standard checklist" to ensure "consistency and thoroughness" across housing code inspections.<sup>27</sup> In the pre-hearing responses submitted before this hearing, DOB indicated that it successfully implemented this recommendation in FY24.<sup>28</sup> Specifically, DOB explained that its "inspection software narrows the portions of the code inspectors may cite to a subset that guides their inspections."<sup>29</sup> Children's Law Center is concerned that means the checklist an inspector uses automatically narrows based on the concerns a tenant listed in their complaint form. While that does encourage consistency across inspections for the same reported issue, it does *not* ensure that inspectors check for the same baseline set of serious housing code violations at every home. That may explain why our clients continue to report that DOB inspectors typically only look at the issues they listed on their complaint form or point out during the inspection.

To proactively protect more tenants, DOB should require its inspectors to check for a standard set of healthy and safety related housing code violations in every inspection. For an example of a jurisdiction that successfully employs a standard checklist during all housing inspections, DOB should look to New York City's Department of Housing Preservation and Development (HPD).<sup>30</sup> HPD explicitly notifies property owners and tenants that during "every inspection" HPD will check for:

1. Lead-based paint hazards (if a child under six lives or routinely spends more than 10 hours in the unit);
2. Carbon monoxide detectors missing;
3. Smoke detectors missing;
4. Window guards missing (if a child under 11 lives in the unit);
5. Apartment of public area doors do not self-close;
6. Illegal window gates;
7. Double-cylinder locks;
8. Mold; and
9. Pests.<sup>31</sup>

HPD does not treat this as an exhaustive checklist and notes inspectors "will also issue violations for any conditions that they observe that [do] not comply with the applicable housing laws."<sup>32</sup>

Children's Law Center would like to see DOB take a similar approach and implement an established set of priority code violations that inspectors must check for during every rental housing inspection. This would help ensure that inspectors do not miss violations that pose a particular threat to the health and safety of residents and preserve the District's housing stock for a lower cost over time.<sup>33</sup> To accomplish this, the agency should 1) work with its rental housing inspectors to update the existing checklist

and inspection procedures to make sure they view the checklist as a helpful tool to use during each inspection, and 2) consult its recently hired Public Health Analyst<sup>34</sup> to determine the code violations to prioritize on the checklist.

*DOB Should Inspect and Cite for Indoor Mold Contamination*

Effective housing code enforcement requires inspectors who are well-trained in relevant best practices and technical standards, including identifying health-harming code violations.<sup>35</sup> Indoor mold, which can pose a serious threat to health, especially for vulnerable populations like children, is prevalent throughout the District's affordable housing stock.<sup>36</sup> While DOB is authorized to cite indoor mold as a housing code violation for "failure to maintain the property free from defective surface conditions" based on a professional mold assessment, DOB does not exercise this power.<sup>37</sup>

Children's Law Center understands that the main barrier to DOB citing mold in its rental housing inspections is that DOB inspectors are not trained to conduct professional mold assessments. Therefore, DOB refers any tenant complaints or inspector observations of mold to the Department of Energy and Environment's (DOEE) Lead-Safe and Healthy Housing Division, which does have a team of mold inspectors. This practice means that a tenant may have to go through two separate inspection and enforcement processes at the same time for the same rental unit – one for housing code violations and one for mold which is confusing and time-consuming for tenants and property owners and an inefficient use of District resources.

Although DOEE does a commendable job conducting mold assessments, it does not have the resources to meet the need for mold inspections in the District and tenants who call DOB should not have to wait for another agency to come and inspect for mold. The Council took action to address this problem when it passed the Residential Housing Environmental Safety Amendment Act of 2020.<sup>38</sup> The law, among other things, requires DOB housing inspectors to become certified to conduct professional mold assessments and use that certification to enforce DC's mold law as part of the housing code inspection process.<sup>39</sup> Unfortunately, the provisions relevant to DOB have not been funded so this important law is not yet in effect and low-income tenants in the District continue to face limited options for compelling a negligent landlord to remove hazardous mold from their home. Children's Law Center encourages the Committee to prioritize funding the portions of the Residential Housing Environmental Safety Amendment Act of 2020 that remain subject to appropriation in the FY26 budget.<sup>40</sup> In the meantime, the Committee should use its oversight powers to ensure all DOB housing code inspectors are at least trained to identify indoor mold and promptly refer it to DOEE.

### **DOB's Post-Inspection Enforcement is Not Effective Enough to Ensure DC Tenants Have Safe and Healthy Housing**

For tenants experiencing poor housing conditions, inspections are only as valuable as their results. Too often, DOB inspections identify housing code violations but do result in repairs, which forces tenants to continue living with conditions that threaten their health and safety and discourages them from reporting poor conditions to DOB in the

future. Under DOB’s current enforcement practices, unscrupulous landlords have little incentive to make timely repairs of housing code violations or proactively maintain code-compliant housing. More certain and meaningful enforcement is needed to change the cost-benefit analysis for these landlords. Without effective enforcement, DOB inspections — even if frequent and high-quality — will not promote safe and healthy housing.

*DOB Regularly Fails to Secure the Timely and Quality Correction of Serious Housing Code Violations*

When DOB issues a Notice of Infraction (NOI) to property owners for a violation of the housing code it explains that the owner must correct the violation within 24 hours if it is an emergency violation and 60 days if it is a routine (non-emergency) violation before DOB will file the NOI with the Office of Administrative Hearings (OAH) to officially pursue fines.<sup>41</sup> Therefore, if landlords were regularly abating violations in what DOB considers a timely manner — at most 60 days — the majority of violations should be corrected within the same 12-month period they are issued. DOB’s data shows this is far from the case. According to DOB’s pre-hearing responses, in FY24 the agency conducted 32,140 housing code inspections (both complaint-based and proactive), and identified 32,660 housing code violations.<sup>42</sup> Only 45% of those violations were abated within FY24.<sup>43</sup> While that is a notable improvement over the 36% of violations issued and corrected within FY23, it is still far too low to protect the health and safety of tenants.<sup>44</sup> After years of DOB securing repairs of less than 50% of violations within the same year, there are

currently 44,450 unabated housing code violations in District rental housing, impacting 10,238 tenant households.<sup>45</sup>

In Children's Law Center's experience, DOB is not able to secure timely repair of even the most serious housing code violations. For example, last year Children's Law Center was connected to a family that had been living in an apartment with no working HVAC system for months. Faced with no heat when the temperatures got colder this winter, the family resorted to all sleeping together in one room with a space heater they bought, which is not a safe primary heating source.<sup>46</sup> When repeated calls and emails to the landlord went unanswered, the mother reported the issue to DOB. DOB conducted an inspection and issued a NOI for the lack of heat and other housing code violations. The NOI alerted the landlord that lack of heat was an emergency violation that they must remedy within 24 hours. The landlord did not respond and did not make any repairs. The family continued to live without heat and when the mother followed up with DOB, the agency conducted another inspection and issued the landlord another NOI for lack of heat. The landlord did not fix the heat after the second NOI either.

When Children's Law Center began working with the family, we reached out to DOB to inquire about the status of these NOIs and any other enforcement action against the landlord for flagrantly disregarding the requirement to repair emergency housing code violations within 24 hours. DOB explained that these NOIs were being handled in the same manner as all violations, meaning they had been filed OAH and DOB was

awaiting an OAH judgment before it would pursue collection of fines.<sup>47</sup> According to DOB, OAH hearings typically take six months or longer and are not expedited for emergency situations like no heat.<sup>48</sup> Ultimately, the family's heat was restored after Children's Law Center's became involved and pursued a Temporary Restraining Order (TROs) with the DC Superior Court but that was two and a half months after the family first contacted DOB.<sup>49</sup> Even though the Superior Court makes information on filing a TRO available to tenants without legal representation, it is a time-consuming and stressful endeavor that most tenants do not even know is an option for them.<sup>50</sup> All winter, tenant-facing District agencies and offices direct tenants without heat to contact DOB and request an inspection.<sup>51</sup> If the District government is going to ensure DOB has the tools and resources it needs to secure remediation of any violation in a timely manner – either by compelling the landlord to fix it or making the fix themselves – it should ensure it can do so for lack of heat.

The true number of unabated housing code violations in the District may be even higher than the 44,450 reported on DOB's dashboard because DOB permits landlord self-reporting of corrections.<sup>52</sup> Although DOB has shared that its staff conduct a "rigorous" review of all self-reported abatements before certifying that the violation has been corrected, Children's Law Center remains concerned that landlord self-reporting online is unreliable and can be abused by bad actor landlords.<sup>53</sup> For example, in summer 2024, a Children's Law Center client was experiencing multiple housing conditions impacting

her family's health and safety including mice, bathroom leaks, a broken mailbox, and insecure balcony guardrails. She requested a DOB inspection and DOB cited multiple housing code violations. Soon after, when she began working with Children's Law Center, we discovered that those violations were no longer listed on DOB's Dashboard, suggesting DOB had deemed them abated.<sup>54</sup> No in person re-inspection had occurred so the landlord must have used the option to self-report abatement online. In actuality, none of the violations had been abated and the family continued to live with these significant health and safety concerns for more than eight months after the DOB inspection until the necessary repairs were made.

To address this problem, DOB should adopt practices to affirmatively communicate with tenants throughout the post-inspection process, including notifying tenants when their landlord submits proof of abatement online. We also recommend that DOB adopt a practice of systematically auditing landlord self-reported abatements and conducting more re-inspections to confirm abatement.

*DOB Is Not Collecting Sufficient Fines from Landlords to Incentivize Housing Code Compliance*

For a housing code to be effective, landlords need sufficient incentive to both (1) voluntarily maintain their properties in compliance with the housing code in the first place and (2) promptly correct housing code violations when they are cited. DOB's primary tool to provide these incentives is its authority to issue civil fines, with a focus on rewarding repairs by waiving or lowering fines.<sup>55</sup> However, the "carrot" of fine waiver



loses its effectiveness if there is no “stick” of prompt and certain fine payment for noncompliance. According to DOB’s Dashboard, over \$34.9 million in fines assessed by DOB for housing code violations are currently awaiting OAH adjudication – which regularly takes over 180 days – before DOB will seek payment.<sup>56</sup> Another \$6.7 million in fines have been upheld by an OAH adjudication but remain unpaid.<sup>57</sup>

DOB did recently take a key step towards compelling landlords to pay outstanding fines for housing code violations. As of February 2024, DOB had only received \$2.5 million—or 3.68%—of the nearly \$69 million in fines assessed in FY22 and FY23.<sup>58</sup> To address this problem, DOB “escalated” approximately \$25 million in uncollected fines to the Office of the Chief Financial Officer’s (OCFO) Central Collection Unit (CCU), the necessary next step for the District to secure payment of those fines.<sup>59</sup> Children’s Law Center is cautiously optimistic that the District is closer to securing \$25 million it is owed by landlords that violated its laws — \$25 million that could fund vital services for DC residents. However, CCU still needs to successfully collect the fines. We encourage the Committee to ask how DOB is continuing to track fines once they are sent to CCU and what if any action DOB and the Committee can take to support CCU. DOB must also explore what steps it can take internally and with sister agencies outside of CCU to collect assessed fines more quickly and successfully.

In addition to ensuring its fines are actually collected from landlords, DOB should expand its use of non-monetary enforcement tools to incentivize compliance. For

example, DOB could collaborate with the Department of Licensing and Consumer Protection (DLCP) to deny, suspend, or revoke business licenses of landlords with a pattern of failing to abate serious housing code violations at one or more of their properties.<sup>60</sup> Under DC law, landlords must have a current business license to operate a rental housing business and to file an eviction case,<sup>61</sup> so strengthening licensure requirements would incentivize housing code compliance and protect tenants forced to live in substandard conditions. Additionally, DOB could partner with the Rental Accommodations Division within the Department of Housing and Community Development (DHCD) to prevent landlords from increasing the rent at rent-controlled properties with outstanding housing code violations.<sup>62</sup> These are just two levers outside of traditional fines that DOB could use to incentive landlords' voluntary compliance. Children's Law Center welcomes the opportunity to work together with DOB to explore implementation of these and other enforcement tools.

*When a Landlord Fails to Correct Serious Housing Code Violations, DOB Should Make the Repairs*

DOB leadership have repeatedly asserted that "ultimately abatement is the landlord's responsibility."<sup>63</sup> While that is true for the *cost* of abatement, DOB can and should take responsibility for abating unaddressed housing code violations that place tenants' health and safety at serious risk. Under DC law, when a property owner fails to correct a housing code violation after reasonable notice, the District government is authorized use its special purpose Nuisance Abatement Fund (Abatement Fund) to abate

the condition itself and then assess the actual cost or fair market value of that abatement to the property owner as a special assessment tax against the property.<sup>64</sup>

Despite the law's broad scope authorizing the Mayor to "use monies in the [Nuisance Abatement Fund] to correct *any* housing code violation," DOB primarily exercises this power in limited circumstances and at vacant or blighted properties.<sup>65</sup> For example, in FY24, 70% of the 1,401 violations abated by DOB using the Abatement Fund were at vacant and blighted properties and most were for trash/debris violations.<sup>66</sup> While Children's Law Center appreciates the importance of removing possible public health and safety threats from vacant and blight properties, we believe the Abatement Fund should also be a resource for correcting violations at tenant-occupied properties. We would like to see DOB routinely utilize the Fund when a landlord has failed to address conditions that pose a serious threat to the health and safety of tenants – for example, repairing a roof that routinely leaks causing water intrusion and mold growth.

During the hearing held by this Committee in January 2024, DOB's Strategic Enforcement Administrator Keith Parsons acknowledged that the only thing preventing DOB from proactively abating more housing code violations and violations of a broader nature is a lack of funding.<sup>67</sup> That is no small barrier as the Abatement Fund has been under-resourced for years.<sup>68</sup> In FY24, the Abatement Fund balance began at \$3,018,216 and grew by \$6,616,321 with FY24 Revenue.<sup>69</sup> DOB spent \$6,237,391 from the Fund.<sup>70</sup> So

far in FY25, DOB has spent \$1,987,431 of the \$5,081,854 available to use this fiscal year from the beginning fund balance and revenue.<sup>71</sup>

Part of the Department of Consumer and Regulatory Affairs Omnibus Amendment Act (DCRA Omnibus Act) passed by the Council in 2018 would have alleviated this problem by dedicating all monies collected from a set of newly enhanced fines for housing code violations to the Abatement Fund.<sup>72</sup> The Council specifically noted that dedicating these fines to the Abatement Fund would enable DOB “to proactively address housing code violations that are not being remediated by landlords.”<sup>73</sup>

Although the law passed with a nearly unanimous Council vote and was signed by the Mayor, the provisions related to the Abatement Fund were passed subject to appropriation and have not been funded. In the FY26 budget, the Committee should prioritize funding the remaining provisions of the DCRA Omnibus Act to significantly increase the scope of abatements DOB is able to carry out when landlords fail to uphold their responsibilities to tenants.

## **Conclusion**

While there remains room to improve DOB’s housing code complaint and inspection processes, the area of DOB’s performance as the District’s housing code enforcement agency that is the least effective for tenants is its post-inspection enforcement. The Council and DOB must develop a clear understanding of the barriers within DOB and other District agencies that are preventing DOB from securing prompt

and certain compliance with its orders. Children’s Law Center recommends that the Committee convene an interim oversight hearing dedicated to DOB’s post-inspection enforcement process as a follow up to the Committee’s productive January 2024 hearing, which focused more closely on the process for requesting and conducting inspections.<sup>74</sup> The Committee should request participation from representatives of all the teams at DOB that play a role in enforcement as well as agencies that DOB collaborates – or could be collaborating – with to carry out enforcement. This should include OAH which adjudicates DOB’s NOIs, the Real Property Tax Appeals Commission which manages liens placed by DOB on properties with non-compliant owners, and DLCP and DHCD as discussed above.

Thank you for the opportunity to testify today. I welcome any questions the Committee may have and look forward to working with the Committee to ensure that DOB meaningfully and proactively protects the health and safety of DC’s tenants.

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<sup>1</sup> See, e.g., Kathy Zeisel, Testimony Before the District of Columbia Council, Committee of the Whole (December 10, 2019), <https://childrenslawcenter.org/wp-content/uploads/2021/07/Zeisel-OIG-DOB-Testimony-Before-the-District-of-Columbia-Council-12.10.19-final.pdf>; Christina M. Simpson, Testimony Before the District of Columbia Council, Committee of the Whole (September 21, 2022), [https://childrenslawcenter.org/wpcontent/uploads/2022/09/Simpson\\_9\\_21\\_22\\_DOB\\_Roundtable\\_Testimony\\_Final.pdf](https://childrenslawcenter.org/wpcontent/uploads/2022/09/Simpson_9_21_22_DOB_Roundtable_Testimony_Final.pdf); Kathy Zeisel, Testimony Before the District of Columbia Council, Committee of the Whole (February 23, 2023), <https://childrenslawcenter.org/wp-content/uploads/2023/02/Childrens-Law-Center-Testimony-DOB-2023-Oversight-final.pdf>; See also Change Lab Solutions, Up to Code: Code Enforcement Strategies for Healthy Housing, 2015, p. 3, available at: [https://www.changelabsolutions.org/sites/default/files/Up-tp-Code\\_Enforcement\\_Guide\\_FINAL-20150527.pdf](https://www.changelabsolutions.org/sites/default/files/Up-tp-Code_Enforcement_Guide_FINAL-20150527.pdf) (“Local code enforcement programs are often the first line of defense in ensuring safe and healthy housing for residents.”).

<sup>2</sup> Children’s Law Center’s innovative medical legal partnership, Healthy Together, places attorneys at primary care pediatric clinics throughout the city with Children’s National, Unity Health Care, and Mary’s Center to receive referrals from pediatric providers for assistance with non-medical barriers to a

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child's health and well-being. See Children's Law Center, available at: <https://childrenslawcenter.org/our-impact/health/>. When unaddressed housing code violations are harming a child's health, our attorneys represent clients in the Housing Conditions Calendar of the DC Superior Court, where tenants may sue landlords for housing code violations on an expedited basis and seek the limited relief of enforcing compliance with the housing code. See Housing Conditions Calendar, <https://www.dccourts.gov/services/civil-matters/housing-conditions-calendar>. Through our work in Healthy Together we know how disruptive a child's health problems are to a child's entire family. For example, when a child needs to go to the ER for uncontrolled asthma, it typically means that the child misses school, their parent misses work – losing valuable income, and the family must take on unbudgeted costs for transportation and medication – all of which disrupts the family's stability.

<sup>3</sup> 14 D.C. Mun. Reg. §§ 400 – 899.

<sup>4</sup> As this Committee noted during the creation of DOB, "DCRA's enforcement of the housing code has been a contentious issue for decades, with residents consistently faulting the agency for being unresponsive and lax in its response to serious code violations." See Chairman Mendelson, Committee of the Whole, Report on Bill 23-91, "Department of Buildings Establishment Act of 2020," pp. 4-6, (December 1, 2020), available at: [https://lims.dccouncil.gov/downloads/LIMS/41724/Committee\\_Report/B23-0091-Committee\\_Report2.pdf?Id=11531](https://lims.dccouncil.gov/downloads/LIMS/41724/Committee_Report/B23-0091-Committee_Report2.pdf?Id=11531); See also D.C. ACT 23-616, "Department of Buildings Establishment Act of 2020."

<sup>5</sup> *Id.*

<sup>6</sup> See e.g., Anne Cunningham and Kathy Zeisel, Testimony Before the District of Columbia Committee of the Whole (April 19, 2018), available at: <https://childrenslawcenter.org/wp-content/uploads/2021/07/DOB-Establishment-Act-of-2018-Hearing-Testimony-Childrens-Law-Cente.pdf>.

<sup>7</sup> DOB established the Built Environment Working Group in 2023. It is made up of internal DOB staff, representatives from sister agencies in the District government, and external stakeholders representing residential and commercial property owners and tenant advocates. The purpose is to advise the Strategic Enforcement Administrator on all aspects of DOB's enforcement, providing perspective and feedback to the agency on its existing enforcement practices and suggestions for better enforcement moving forward. The group currently meets on a quarterly basis.

<sup>8</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q23(b), available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>9</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q23(b), available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>10</sup> Department of Buildings, Built Environment Working Group Meeting of May 8, 2024, notes on file with Children's Law Center.

<sup>11</sup> *Id.*

<sup>12</sup> This understanding is based on conversations Children's Law Center had with DOB in May and June 2024. See also 2025 Department of Buildings Performance Oversight Responses, response to Q33, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>13</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q33, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>14</sup> D.C. Law 23-269. Department of Buildings Establishment Act of 2020.

<sup>15</sup> Council of the District of Columbia Committee of the Whole, Report on the District's Housing Code Inspection Process: Broken and In Need of Repair (January 18, 2024), available at: <https://lims.dccouncil.gov/Hearings/hearings/211>.

<sup>16</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q40, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

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<sup>17</sup> *Id.* at response to Q36 and Q37.

<sup>18</sup> In FY23, DOB conducted 14,929 complaint-based housing code inspections and 13,238 proactive housing code inspections, totaling 28,167. In FY22, DOB conducted 13,561 complaint-based housing code inspections and 11,428 proactive housing code inspections, totaling 24,989. See 2024 Department of Buildings Performance Oversight Responses, response to Q28 and Q29, available at: <https://lms.dccouncil.gov/Hearings/hearings/241>.

<sup>19</sup> D.C. Law 25-141. Proactive Inspection Program Act of 2024.

<sup>20</sup> Makenna Osborn, Children’s Law Center Testimony before the DC Council Committee of the Whole, (February 22, 2024), p. 14, available at: <https://childrenslawcenter.org/wp-content/uploads/2024/02/DOB-Performance-Oversight-Childrens-Law-Center-Written-Testimony-02.21.2024.pdf>; Kathy Zeisel, Children’s Law Center Testimony before the DC Council Committee of the Whole, (February 23, 2023), available at: <https://childrenslawcenter.org/wp-content/uploads/2023/02/Childrens-Law-Center-Testimony-DOB-2023-Oversight-final.pdf>; Kathy Zeisel, Children’s Law Center Testimony before the DC Council Committee of the Whole, (November 3, 2022), available at: <https://childrenslawcenter.org/wp-content/uploads/2022/11/Zeisel-CLC-PROACTIVE-INSPECTION-PROGRAM-ACT-OF-2022-Testimony-1.pdf>.

<sup>21</sup> D.C. Law 25-141. Proactive Inspection Program Act of 2024. Sec. 3. Program; purpose (c)(1)(K),(L).

<sup>22</sup> Council of the District of Columbia Committee of the Whole, Committee Report on Bill 25-48, p. 10 (December 19, 2023), available at: <https://lms.dccouncil.gov/Legislation/B25-0048>.

<sup>23</sup> *Id.* at 7-10; D.C. Law 25-141. Proactive Inspection Program Act of 2024. Sec. 4. Proactive inspections; units inspected; consent of tenants (b)(3) and (g).

<sup>24</sup> D.C. Law 25-141. Proactive Inspection Program Act of 2024. Sec. 9. Applicability; See also Council of the District of Columbia Office of the Budget Director, January 2025 Quarterly Report of Legislation Passed Subject to Funding, p. 3 (January 15, 2025), <https://dccouncil.gov/wp-content/uploads/2025/01/2025-01-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.

<sup>25</sup> See Government of the District of Columbia Office of the Chief Financial Officer, Fiscal Impact Statement – Proactive Inspection Program Act of 2023 (December 18, 2023), <https://lms.dccouncil.gov/downloads/LIMS/52108/Other/B25-0048-FIS-Proactive-Inspection-Act-of-2023.pdf?Id=182227>.

<sup>26</sup> Childhood Lead Poisoning Prevention: About Lead in Paint, US Centers For Disease Control and Prevention, <https://www.cdc.gov/lead-prevention/prevention/paint.html>.

<sup>27</sup> Council of the District of Columbia Committee of the Whole, Report on the District’s Housing Code Inspection Process: Broke and In Need of Repair, p. 19 (January 18, 2024), available at: <https://lms.dccouncil.gov/Hearings/hearings/211>.

<sup>28</sup> 2025 Department of Building Performance Oversight Responses, response to Q40 (recommendation 11).

<sup>29</sup> 2025 Department of Building Performance Oversight Responses, response to Q40 (recommendation 11).

<sup>30</sup> “The New York City Department of Housing Preservation and Development (HPD) protects the quality and affordability of [New York City housing] by rigorously enforcing the New York City Housing Maintenance Code,” including by performing over 500,000 housing inspections annually. Services and Information: Code Enforcement: About Code Enforcement, NYC Housing Preservation & Development, <https://www.nyc.gov/site/hpd/services-and-information/code-enforcement.page>.

<sup>31</sup> *Id.* For more information about the nine conditions HPD inspectors look for during every inspection and why they are important to protect tenants’ health and safety, see *ABCs of Housing: Tenants’ Guide*, NYC Department of Housing Preservation & Development (January 2024), <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/abcs-housing-tenant.pdf>.

<sup>32</sup> *Id.* For more information about the nine conditions HPD inspectors look for during every inspection and why they are important to protect tenants’ health and safety, see *ABCs of Housing: Tenants’ Guide*,

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NYC Department of Housing Preservation & Development (January 2024), <https://www.nyc.gov/assets/hpd/downloads/pdfs/services/abcs-housing-tenant.pdf>.

<sup>33</sup> Timely and workmanlike abatement of housing code violations preserves existing affordable housing stock and is typically more cost-effective than having to do major renovations or construct new housing after consistently deferred repairs/maintenance make existing stock uninhabitable. In the seven years after Los Angeles established a robust proactive housing inspection program, their code enforcement agency inspected over 90% of multi-family residential properties and secured the correction of over 1.5 million “habitability violations” which resulted in “an estimated \$1.3 billion re-investment by owners in the city’s existing housing stock.” *Award: Systematic Code Enforcement Program*, Harvard Kennedy School: ASH Center for Democratic Governance and Innovation (January 1, 2005), <https://ash.harvard.edu/news/systematiccodeenforcement-program>.

<sup>34</sup> DOB filled the Public Health Analyst position within the Office of Strategic Code Enforcement in the spring of 2023 and the employee in the position is fully onboarded, according to Children’s Law Center’s conversations with the Strategic Enforcement Administrator.

<sup>35</sup> See Change Lab Solutions, *Up to Code: Code Enforcement Strategies for Healthy Housing*, p. 9, 2015, available at: <https://www.changelabsolutions.org/product/code>; “[I]nspectors primarily examine homes for problems that could get them in trouble. For example, if residents of an inspected building are injured from a collapsed ceiling or fire, the inspector could lose [their] job or face other repercussions. On the other hand, when a child suffers from asthma attacks based on poor ventilation, there is [likely] no negative impact on the inspector.” See The National Municipal Policy Network, *Housing Code Enforcement*, p. 2, available at: <https://localprogress.org/wp-content/uploads/2013/09/Housing-Code-Enforcement-1.pdf>.

<sup>36</sup> National Institute of Environmental Health Sciences, *Mold and Your Health*, available at: [https://www.niehs.nih.gov/sites/default/files/health/materials/mold\\_508.pdf](https://www.niehs.nih.gov/sites/default/files/health/materials/mold_508.pdf). Mold is one of the most common health-harming housing conditions concerns that tenants report to Children’s Law Center.

<sup>37</sup> D.C. Official Code § 8-241.05(b); Council of the District of Columbia Committee of the Whole, Report on Bill 23-132, “Residential Housing Environmental Safety Amendment Act of 2020 (December 1, 2020), p.3, available at: [https://lims.dccouncil.gov/downloads/LIMS/41819/Committee\\_Report/B23-0132-Committee\\_Report3.pdf?Id=115313](https://lims.dccouncil.gov/downloads/LIMS/41819/Committee_Report/B23-0132-Committee_Report3.pdf?Id=115313).

<sup>38</sup> B23-0132 - Indoor Mold Remediation Enforcement Amendment Act of 2019 (now known as “Residential Housing Environmental Safety Amendment Act of 2020”). See also Council of the District of Columbia Committee of the Whole, Report on Bill 23-132, “Residential Housing Environmental Safety Amendment Act of 2020 (December 1, 2020), p.4, available at: [https://lims.dccouncil.gov/downloads/LIMS/41819/Committee\\_Report/B23-0132Committee\\_Report3.pdf?Id=115313](https://lims.dccouncil.gov/downloads/LIMS/41819/Committee_Report/B23-0132Committee_Report3.pdf?Id=115313) (“Indoor mold is a threat to the health and well-being of tenants in the District, particularly tenants with asthma and other chronic respiratory conditions. This bill will strengthen the District’s enforcement of indoor air quality by requiring housing code inspectors to be certified in indoor mold assessment and establishing penalties for when property owners fail to remediate indoor mold.”).

<sup>39</sup> B23-0132 - Indoor Mold Remediation Enforcement Amendment Act of 2019 (now known as “Residential Housing Environmental Safety Amendment Act of 2020”). Sec. 2(e)(1), (2).

<sup>40</sup> Council of the District of Columbia Office of the Budget Director, January 2025 Quarterly Report of Legislation Passed Subject to Funding, p. 1 (January 15, 2025), <https://dccouncil.gov/wp-content/uploads/2025/01/2025-01-15-Subject-to-Funding-Legislation-quarterly-report.pdf>.

<sup>41</sup> See DC Department of Buildings, *How Compliance is Enforced*, <https://dob.dc.gov/sites/default/files/dc/sites/dob/DOB%20Enforcement%20Graphic%201.9.23.pdf>; Keith Parsons, Testimony Before the



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District of Columbia Committee of the Whole (January 18, 2024), *available at*: <https://lims.dccouncil.gov/Hearings/hearings/211>.

<sup>42</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q36 and Q37.

<sup>43</sup> *Id.* (Of the 32,660 violations served in FY24 (21,160 complaint-based + 11,500 proactive), 14,786 (7,436 complaint-based + 7,350 proactive) or 45% were abated within FY24).

<sup>44</sup> *Compare id. with* 2024 Department of Buildings Performance Oversight Responses, response to Q28 and Q29, *available at*: <https://dccouncil.gov/committee-of-the-whole-14/>.

<sup>45</sup> Data as of February 20, 2025. DC Department of Buildings, *DOB Public Dashboard – Violations and Abatement*, *available at*: [https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/ViolationsAbatementLVT?%3AshowAppBanner=false&%3Adisplay\\_count=n&%3AshowVizHome=n&%3Aorigin=viz\\_share\\_link&%3Aembed=yes&%3Atoolbar=no](https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/ViolationsAbatementLVT?%3AshowAppBanner=false&%3Adisplay_count=n&%3AshowVizHome=n&%3Aorigin=viz_share_link&%3Aembed=yes&%3Atoolbar=no).

<sup>46</sup> *See* THD Stresses Importance of Safe and Adequate Heat, Tulsa Health Department (January 7, 2025), <https://tulsa-health.org/thd-stresses-importance-of-safe-and-adequate-heat/>.

<sup>47</sup> For an explanation of DOB’s process for enforcing housing code violations, *see* Lifecycle of a Housing Code Inspection, Department of Buildings, <https://dob.dc.gov/node/1616631>; Alternative Resolution Team, Department of Buildings, <https://dob.dc.gov/art>; Office of Strategic Code Enforcement Fiscal Year 2024 Annual Report, Department of Buildings (February 12, 2025), <https://lims.dccouncil.gov/downloads/LIMS/57127/Introduction/RC26-0027-Introduction.pdf?Id=206151>.

<sup>48</sup> Office of Strategic Code Enforcement Fiscal Year 2024 Annual Report, Department of Buildings, p. 9 (February 12, 2025), <https://lims.dccouncil.gov/downloads/LIMS/57127/Introduction/RC26-0027-Introduction.pdf?Id=206151>.

<sup>49</sup> *See* What is a Temporary Restraining Order?, District of Columbia Courts, <https://www.dccourts.gov/services/judge-in-chambers/temporary-restraining-order-civil>; Case Management Plan for the Housing Conditions Civil Calendar, District of Columbia Superior Court Civil Division, p. 3-4 (Rev. April 2024), <https://www.dccourts.gov/sites/default/files/Housing-Conditions-Case-Management-Plan.pdf>.

<sup>50</sup> What You Should Know About TROs, District of Columbia Courts, <https://www.dccourts.gov/services/judge-in-chambers/temporary-restraining-order-civil>.

<sup>51</sup> *See e.g.*, @OTAatDC (DC Office of the Tenant Advocate), Twitter (December 4, 2024, 2:19 PM), <https://x.com/OTAatDC/status/1864388974908748165>; @DC\_DOB (DC Department of Buildings), Twitter (January 10, 2025, 11:00 AM), [https://x.com/DC\\_DOB/status/1877747441979498743](https://x.com/DC_DOB/status/1877747441979498743).

<sup>52</sup> Proof of Abatement, Department of Buildings, *available at*: <https://info.dob.dc.gov/contact/abatement-tracking-BJbZLthgw>.

<sup>53</sup> Council of the District of Columbia, Public Oversight Hearing “The District’s Rental Housing Code Inspection Process: Broken and In Need of Repair” (January 18, 2024) at 3:35:00, *available at*: [https://dc.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=8618](https://dc.granicus.com/MediaPlayer.php?view_id=4&clip_id=8618); *see also* Makenna Osborn, Testimony Before the District of Columbia Committee of the Whole (January 18, 2024), *available at*: <https://childrenslawcenter.org/wp-content/uploads/2024/01/DOB-Rental-Housing-Code-Inspection-Hearing-Childrens-Law-Center-Written-Testimony-With-Attachments-1.17.2024.pdf>; Kathy Zeisel, Testimony Before the District of Columbia Committee of the Whole and the Committee of Facilities and Family Services (February 23, 2023), *available at*: <https://childrenslawcenter.org/wpcontent/uploads/2023/02/Childrens-Law-Center-Testimony-DOB-2023-Oversight-final.pdf>.

<sup>54</sup> According to DOB, its Dashboard only publicly displays *unabated* violations and is refreshed every day. DOB has repeatedly told stakeholders that if a violation is not displayed on the Dashboard, it is because it has been abated. To view the Dashboard *see* Department of Buildings, *DOB Public Dashboard – Violations and Abatement*, *available at*: <https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/Violations>

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[AbatementLVT?%3AshowAppBanner=false&%3Adisplay\\_count=n&%3AshowVizHome=n&%3Aorigin=viz\\_share\\_link&%3Aembed=yes&%3Atoolbar=no](https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/EnforcementNOIPostAdjudication?%3AshowAppBanner=false&%3Adisplay_count=n&%3AshowVizHome=n&%3Aorigin=viz_share_link&%3Aembed=yes&%3Atoolbar=no).

<sup>55</sup> For a description of DOB's housing code enforcement process, see Enforcement Action: Enforcement Process, Department of Buildings, <https://dob.dc.gov/page/enforcement-action>.

<sup>56</sup> This data comes from the "Enforcement" page of DOB's Dashboard on February 20, 2025. Select the "Pre-Adjudication" tab under "NOI with Pending Balance" and use the "Select Business Unit" filter menu to select only "Housing-Complaint" and "Housing-Proactive." The data reflects NOIs issued from FY18 through present. . DC Department of Buildings, *DOB Public Dashboard – Enforcement*, available at: [https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/EnforcementNOIPostAdjudication?%3AshowAppBanner=false&%3Adisplay\\_count=n&%3AshowVizHome=n&%3Aorigin=viz\\_share\\_link&%3Aembed=yes&%3Atoolbar=no](https://dataviz1.dc.gov/t/OCTO/views/DOBPUBLICDashboard/EnforcementNOIPostAdjudication?%3AshowAppBanner=false&%3Adisplay_count=n&%3AshowVizHome=n&%3Aorigin=viz_share_link&%3Aembed=yes&%3Atoolbar=no).

<sup>57</sup> This data comes from the "Enforcement" page of DOB's Dashboard on February 20, 2025. Select the "Post-Adjudication" tab under "NOI with Pending Balance" and use the "Select Business Unit" filter menu to select only "Housing-Complaint" and "Housing-Proactive." The data reflects NOIs issued from FY18 through present. *Id.*

<sup>58</sup> DOB assessed \$18,802,088 in fines in FY22 and \$34,348,427 in FY23, totaling \$68,999,826. DOB collected \$1,172,860 in fines in FY22 and \$730,752 in fines in FY23, totaling \$2,537,532. DC Department of Buildings Office of Strategic Code Enforcement, *Fiscal Year 2023 Annual Report*, Chart 3, p. 4 (February 26, 2024), available at: <https://dob.dc.gov/sites/default/files/dc/sites/dob/2024-02-26%20OSCE%20Yearly%20Enforcement%20Report.pdf>.

<sup>59</sup> Office of Strategic Code Enforcement Fiscal Year 2024 Annual Report, Department of Buildings, p. 11, 16-17 (February 12, 2025), <https://lims.dccouncil.gov/downloads/LIMS/57127/Introduction/RC26-0027-Introduction.pdf?Id=206151>.

<sup>60</sup> B25-0574 - Do Right by DC Tenants Amendment Act of 2023.

<sup>61</sup> DC Code § 47-2828; DC Law 24-115. Eviction Record Sealing Authority Amendment Act of 2021 (now known as "Eviction Record Sealing Authority and Fairness in Renting Amendment Act of 2022").

<sup>62</sup> While the District's rent control law already prohibits landlords of rent-controlled properties from increasing rents when housing code violations are present, the burden is on tenants to file petitions to rent increases. See DC Code 42-3502.08(a)(1). Increases above base rent.

<sup>63</sup> Director Ernest Chrappah, Acting Director of Department of Buildings, Testimony Before the District of Columbia Committee of the Whole (February 23, 2023), p. 178, available at: <https://lims.dccouncil.gov/Hearings/hearings/14>.

<sup>64</sup> DC Code 42-3131.01(a)(1). Mayor may correct conditions violative of law; assessment of cost; lien on property; fund to pay costs; summary corrective action of life-or-health threatening condition.

<sup>65</sup> Council of District of Columbia Committee of the Whole, Report on Bill 22-317, the "Department of Consumer and Regulatory Omnibus Amendment Act of 2018" (December 4, 2018), p. 8, available at: [https://lims.dccouncil.gov/downloads/LIMS/38265/Committee\\_Report/B22-0317-CommitteeReport1.pdf?Id=62306](https://lims.dccouncil.gov/downloads/LIMS/38265/Committee_Report/B22-0317-CommitteeReport1.pdf?Id=62306). For a list of DOB's Abatement Fund expenditures in FY24 and FY25 so far, which were largely correcting trash and debris violations, see DOB Nuisance Abatement Fund Expenditure FY24-FY25, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>66</sup> See Office of Strategic Code Enforcement Fiscal Year 2024 Annual Report, Department of Buildings, p. 12 (February 12, 2025), <https://lims.dccouncil.gov/downloads/LIMS/57127/Introduction/RC26-0027-Introduction.pdf?Id=206151>; DOB Nuisance Abatement Fund Expenditure FY24-FY25, available at: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>67</sup> During his answers to questions from Councilmember Robert White at the January 2024 hearing on DOB housing code inspections, Administrator Parsons stated that while DOB has legal authority to

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proactively conduct abatement of open housing code violations, it is constrained by financing. Specifically, he said “the problem is fiscal.” Council of the District of Columbia, Public Oversight Hearing “The District’s Rental Housing Code Inspection Process: Broken and In Need of Repair” (January 18, 2024), at 3:40:40, *available at*: [https://dc.granicus.com/MediaPlayer.php?view\\_id=4&clip\\_id=8618](https://dc.granicus.com/MediaPlayer.php?view_id=4&clip_id=8618).

<sup>68</sup> Council of District of Columbia Committee of the Whole, Report on Bill 22-317, the "Department of Consumer and Regulatory Omnibus Amendment Act of 2018" (December 4, 2018), p. 10, *available at*: [https://lims.dccouncil.gov/downloads/LIMS/38265/Committee\\_Report/B22-0317-Committee\\_Report1.pdf?Id=62306](https://lims.dccouncil.gov/downloads/LIMS/38265/Committee_Report/B22-0317-Committee_Report1.pdf?Id=62306). *See also* Anne Cunningham, Testimony Before the DC Council Committee of the Whole (July 3, 2018), p. 5, *available at*: <https://childrenslawcenter.org/wp-content/uploads/2021/07/Childrens-Law-Center-Testimony-COW-DCRA-Bills-Hearing-7.3.18-Final.pdf>.

<sup>69</sup> 2025 Department of Buildings Performance Oversight Responses, response to Q9, *available at*: <https://lims.dccouncil.gov/Hearings/hearings/657>.

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

<sup>72</sup> Council of District of Columbia Committee of the Whole, Report on Bill 22-317, the "Department of Consumer and Regulatory Omnibus Amendment Act of 2018" (December 4, 2018), p. 9, *available at*: [https://lims.dccouncil.gov/downloads/LIMS/38265/Committee\\_Report/B22-0317-Committee\\_Report1.pdf?Id=62306](https://lims.dccouncil.gov/downloads/LIMS/38265/Committee_Report/B22-0317-Committee_Report1.pdf?Id=62306)

<sup>73</sup> *Id.*

<sup>74</sup> Council of the District of Columbia Committee of the Whole, Public Oversight Hearing on the District’s Housing Code Inspection Process: Broken and In Need of Repair, held on January 18, 2024, <https://lims.dccouncil.gov/Hearings/hearings/211>.